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Docket Management Facility (USCG-2001-8661) - 6  
U.S. Department of Transportation  
Room PL-401  
400 Seventh Street SW  
Washington, DC 20590-0001

Dear Sir:

Thank you for the opportunity to comment on this proposed rule. Southern Towing Company operates fourteen towboats, refrigerated specialty chemical unmanned inland tank barges and other unmanned inland tank barges. The company's vessels operate on the Gulf IntraCoastal Waterways, lower and upper Mississippi River, Ohio River, Illinois River, Tennessee River, Arkansas River, Missouri River, Kanawha River, Sabine River, Calcasieu River and Monongahela River. We would like to make the following comments on the proposed rule:

We suggest that the proposed rule is unnecessary, unjustified and should be withdrawn for the following reasons:

a. The cost of the proposed rule is clearly not justified. OPA 90 has been a success and continues to work well in reducing the number and severity of oil spills. Spills from tank barges have declined 92% from 1990 to 2000. The National Research Council has found that less than 8% of the oil that enters the North American waters comes from the transportation of oil (tankers, barges, pipeline and trucks). An estimated 690,000 barrels of oil enter these waters annually as a result of 'human activity'. Natural seepage accounts for more than 1,119,000 barrels. Of all the oil that enters the North American waters less than 55,000 barrels come from the transportation of oil. The proposed regulation is estimated to recover or treat 743 barrels at a cost between \$10,000 and \$17,700 per barrel. This regulation would only cleanup or treat an estimated 4/100 of 1% of the oil entering North American waters. This regulation prevents nothing from entering the water. The total cost of the regulation, estimated between \$141

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million and \$254 million would be better spent trying to keep oil out of the water in the first place. The emphasis should be on prevention, not recovery or treatment.

b. Mechanical Recovery: The maritime transportation industry has done an excellent job in reducing the number as well as the quantity of oil spills. OPA 90 has already placed the burden on the planholder to plan for and clean up a worst case spill. The number of spills as well as the volume of spills has continued to decline. The amount of equipment in place was sufficient in 1993 for the amount of oil spilled at that time. That same amount of equipment obviously is sufficient today for fewer spills of lesser volume. There is no reason to increase the quantity of mechanical recovery equipment.

c. Aerial Tracking: The responsible party in virtually every spill incident for the 15 years has had aerial tracking whenever it would be at all useful. The responsible party has an economic goal of cleaning up a spill at the lowest possible cost and a public image goal of doing the best possible cleanup job. One tool that has helped lower cost and conduct an effective cleanup has been aerial surveillance and tracking. There is no reason to develop regulations to require things to be done that are already being done, when necessary.

d. Dispersants and In-Situ Burning: Other cost efficiencies are realized for the responsible party through the use of dispersants and in-situ burning where allowed. The maritime industry worked effortlessly for the opportunity to use these tools. The resources for these tools have been staged, ready for use, for many years in those areas where these techniques have been pre-approved. Again, there appears little reason to develop regulations to mandate that a responsible party do something that he is already doing.

Thank you for the opportunity to make these comments.



Michael Slack  
Safety/Training Manager